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Milan Gorby, and James L. Bridges

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

JOHN SAYYAH, <i>pro se</i>, et al.,	:	Case No. C-1-01-459
	:	
Plaintiffs,	:	Judge Herman T. Weber
	:	Magistrate Judge Black
vs.	:	
	:	INITIAL DISCLOSURES
WAYNOKA PROPERTY OWNERS	:	<u>PURSUANT TO RULE 26(a)(1)</u>
ASSOCIATION, INC., et al.,	:	
	:	
Defendants.	:	

Come now Defendants Donald E. Fender, Inc., James L. Bridges, and Milan Gorby, by and through counsel, and set forth the following initial disclosures pursuant to the Rule 26(f) Report of the Parties and Rule 26(a)(1) of the Federal Rules of Civil Procedure.

A. Individuals With Discoverable Information.

1. Donald E. Fender
Donald E. Fender, Inc.
221 North High Street
Hillsboro, OH 45133
2. James Bridges
10387 McCall Road
Georgetown, OH 45121
3. Milan Gorby
12 Waynoka Cv.
Sardinia, OH 45171-9227

Mr. Fender, Mr. Bridges and Mr. Gorby are knowledgeable about the operations of Donald E. Fender, Inc. at Lake Waynoka, any and all leases or other agreements between Donald E. Fender, Inc. and Waynoka Property Owners Association, Inc., and other issues raised in Plaintiff's Complaint.

4. John Sayyah
238 Waynoka Drive
Sardinia, OH 45171

5. Brenda Frank
273 Yuma Drive
P.O. Box 588
Sardinia, OH 45175
6. All other individuals identified in Plaintiff's Complaint.
7. Representative(s) of Ohio Department of Commerce
Division of Real Estate and Professional Licensing
77 South High Street, 20th Floor
Columbus, Ohio 43215-6133.

Representatives have knowledge regarding the Complaint filed by Joyce Casper against Donald E. Fender, Inc. raising many issues identical to those in the Complaint, as well as the determination that there was lack of reasonable and substantial evidence of a violation of Chapter 4735 of the Ohio Revised Code.

8. All persons identified by Plaintiffs.
9. All persons identified by any other party.
10. Defendants reserve the right to supplement these responses as discovery progresses and prior to trial pursuant to Civil Rule 26.

B. Identification of Documents Supporting Defenses.

1. Any and all leases, agreements and other related documents between Donald E. Fender, Inc. and Waynoka Property Owners Association, Inc. from 1998 through the present.
2. Records of rent payment from Donald E. Fender, Inc. to WPOA from 1998 – present.
3. All documents attached to Plaintiff's Complaint.
4. Complete file produced by State pursuant to open records request from *Joyce Casper v. Donald E. Fender, Inc.*, Ohio Division of Real Estate Case No. 260299-3.
5. Complete file kept by Donald E. Fender, Inc. relating to *Joyce Casper v. Donald E. Fender, Inc.*, Ohio Division of Real Estate Case No. 260299-3.

6. Records regarding real estate license of James Bridges from 1995 to the present, including transfers.

7. Records regarding real estate license of Milan Gorby from 1998 to the present, including transfers.

8. Complete file related to license issuance for corporate branch office of Donald E. Fender, Inc. at Lake Waynoka.

9. Records regarding properties sold at Lake Waynoka.

10. All documents identified by Plaintiffs.

11. All documents identified by any party.

12. Defendants reserve the right to supplement this response as discovery progresses and prior to trial, pursuant to Rule 26.

C. Insurance Agreement.

Available for inspection and copying upon request.

Respectfully submitted,

KOHNEN & PATTON LLP

/s/ Colleen M. Blandford

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served this 12th day of August 2004, via electronically upon the following:

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and via Regular US Mail upon the following:

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/s/ Colleen M. Blandford
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